

**DETAILED ACTION**

***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jacob Rohwer on 08/20/09. The substance of the interview can be found on the attached interview summary form.

The application has been amended as follows:

**CLAIMS:**

1-6. *(Previously Presented)*

7-34. *(Cancelled)*

35-39. *(Previously Presented)*

40-41. *(Cancelled)*

42. *(Cancelled)*

43. *(Cancelled)*

44. *(Previously Presented)*

45. *(Currently Amended)* One or more ~~a~~ computer-storage media as recited in claim 44, wherein the virtual view of the scene is substantially free from aliasing.

46-54. *(Cancelled)*

55. *(Previously Presented)*

56-57. *(Cancelled)*

58. *(Previously Presented)*

59. *(Currently Amended)* One or more a computer-storage media as recited in claim 44, wherein the scene represents a set of images.

#### ***Response to Arguments***

2. The cancellation of claims 7, 9, 30-33, 40 and 56 is noted. The cancellation of these claims renders moot the previous objection/35 USC 112, 1<sup>st</sup> paragraph rejection of these claims.
3. Applicant's arguments, see page 9 of Applicant's Remarks, filed 07/23/09, with respect to 35 USC 101 rejection of claims 1-7 and 58 have been fully considered and are persuasive. The 35 USC 101 rejection of these claims has been withdrawn since the claims have been rewritten into "computer-readable medium" form which now recite statutory subject as seen by the current practices and procedures of the Office.

#### ***Allowable Subject Matter***

4. Claims 1-6, 35-39, 44, 45, 55, 58 and 59 are allowed.

The following is an examiner's statement of reasons for allowance:.

In reference to claims 1, 35, 44 and 55, the prior art of record does not explicitly disclose one or more computer-storage media comprising instructions stored thereon, a system or an apparatus which splits a scene into one or more coherent layers, propagates boundaries of the coherent layers, renders the coherent layers with a corresponding background layer to display a

virtual view of the scene and wherein the background layer is provided by combining a plurality of under-segmented regions in combination with the further limitations of claims 9, 35, 44 and 55 respectively.

In reference to claims 2-6, 36-39, 45, 58 and 59, these claims depend upon claims 1, 35 and 44 and are therefore also deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Antonio Caschera whose telephone number is (571) 272-7781. The examiner can normally be reached Monday-Friday between 7:00 AM and 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung, can be reached at (571) 272-7794.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**571-273-8300 (Central Fax)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (571) 272-2600.

/Antonio A Caschera/

Primary Examiner, Art Unit 2628

**8/24/09**